UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,711	05/03/2001	Mary Thomas Robb	10006616-1	7927

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
LIN, KELVIN Y

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/848,711	ROBB ET AL.
	Examiner	Art Unit	
	Kelvin Lin	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 August 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,14-17, and 19-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-12,14-17 and 19-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Detailed Action

Response to Arguments

1.   The Applicant's arguments with respect to claims 1-12, 14-17, and 19-24 have been considered but are not persuasive . Examiner appreciates detail description of prior art.

2.   Regarding arguments that the applied reference does not teach "releasing control of the log entry to the consumer".

According to applicant's specification, "releasing control to consumer 68 preferably comprises releasing control of the log entry and allowing the consumer to resume executing the initiated event. In an embodiment, the Log Manager 40 clones the MxLog object included logIt method invocation and releases control of the original MxLog object to the consumer. This allows the consumer to continue executing the event or to initiate a new event (Specification, page 9, line 18-23).

It is respectfully noted that there is no explicit definition as to what "releasing control encompasses or what acts achieve this step.

The prior art teaches that " .. duplicate management data and allowing the transaction to free up the medata data by updating solely the original management data" (Koseki, col. 10, l.31-33). Furthermore, an allocation management data memory hods allocation management data for controlling the usage of metadata resource. The control block contains one or more entries representing free metadata objects. And a metadata allocation responds to the metadata allocation request by search the

allocation control block to find a free metadata object (Koseki, col. 10, I.36-47). As a result the transaction issues a metadata deallocation request. Upon receipt of this request, the metadata deallocation unit frees up the specified metadata object (Koseki, col. 11, I.1-10).

3.   Applicant also argues that "Koseki does not disclose or suggest cloning the log entry, the log entry clone being a copy of an entire log entry, as claimed".

The Office respectively disagrees.

Koseki discloses that the logging system collects a record of every update operation made to a metadata object by making a copy of its entire structure, i.e. all data field describing the metadata object of interest. (Koseki, col.28, I.15-18).

Furthermore, Koseki discloses that the old log records used in the recent file system recovery (Koseki, col.10, I.35-37) illustrates that the cloning a log entry as part of the releasing control.

4.   Regarding claim 17, applicant argues that "Koseki does not disclose or suggest
        a multi-threaded log manager, wherein the log manager, independently and
        separately from other processes, log events...".

Koseki discloses that the logging system has to support Concurrent execution of multiple threads, because it is an indispensable feature to satisfy the required performance level. Log records, are saved in a log volume on an individual transaction basis. Each unit of log information, which represents the result of a series of actions made by a transaction,...(Koseki, col.29, I.25-67).

Similarly, application argues in the amended claim 17 that "releasing control of

the log entry ... prior to writing the log entry information to the log file, wherein releasing

control of the log entry to the consumer comprises: cloning the log entry, wherein .....".,

are already disclosed at above.

5.   Therefore, rejections of claims 1, 12, and 17 are maintained.

6.   Claims 2-11 depend from independent claim 1, claims 13-16 depend from

        independent claim 12, and claims 12-18 depend from independent claim 17, are

        also rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> *(e) the invention was described in (1) an application for patent, published under section 122(b), by*
> *another filed in the United States before the invention by the applicant for patent or (2) a patent*
> *granted on an application for patent by another filed in the United States before the invention by the*
> *applicant for patent, except that an international application filed under the treaty defined in section*
> *351(a) shall have the effects for purposes of this subsection of an application filed in the United States*
> *only if the international application designated the United States and was published under Article 21(2)*
> *of such treaty in the English language.*

1.   Claims 1-12, 14-17, and 19-24 are rejected under 35 U.S.C 102(e) as being

anticipated by Koseki et al., (US Patent 6732124).

2.   Regarding claim 1, Koseki teaches a method for logging events

        independently and separately from other processes in a computer system,

        comprising: (Koseki, col. 12, l.25, col. 49, l. 14)

     i.   Initiating an event, wherein the event is a process executed on a computer system;(Koseki, col.9, l.13-15, l.36-38)

     ii.   Creating a log entry, wherein the log entry comprises information that describes the event;(Koseki, col. 9, l.16-17, col.30, l. 9-11)

     iii.   Requesting that the log entry information be written to a log file, whereby the consumer surrenders control of the log entry, pausing execution of the event (Koseki, col. 6, l.19-20,col. 10, l. 47-57); and

     iv.   Releasing control of the log entry to the consumer, so that execution of the event can resume, prior to writing the log entry information to the log file, wherein releasing control of the log entry to the consumer comprises: (Koseki, col.10, l. 31-47, col.11, l.1-10)

     (1)   Cloning the log entry, wherein the log entry clone is a copy of an entire log entry that comprises the log entry information. (Koseki, col.10, l.35-37, col. 28, l. 15-18)

3.   Regarding claim 2, Koseki further discloses the method of claim 1, wherein he cloning step is performed by a multiple-thread log manager. (Koseki, col 15, l. 40-45).

4.   Regarding claim 3, Koseki further discloses the method of claim 1, further comprising:

- Queuing the log entry clone in a queue that determines

  when the log entry information is written to the log file

  (Koseki, col. 44, l. 39)

5.   Regarding claim 4, Koseki further discloses the method of claim 3,

wherein the queue is a first in, first out queue – as described in Microsoft

computer dictionary 5th edition " queue follows a first in, first out constraint"

- (Koseki, col. 44, l.39).

6.   Regarding claim 5, Koseki further discloses the method of claim 3,

wherein at some time the log entry clone has a turn, the method further

comprising:

- Determining if the log entry clone is next in the queue;

  (Koseki, col.10, l. 40-43) and

- If the log entry clone is next in the queue, writing the log

  entry information to log file (Koseki, col. 10, l.43-46).

7.   Regarding claim 6, Koseki further discloses the method of claim 1,

wherein the log entry is an object comprising attributes populated with the

log entry information (Koseki, col 30, l.9-11).

8.   Regarding claim 7, Koseki further discloses the method of claim 1,

wherein the event is a configuration event (Koseki, col. 22, l. 24-26).

9.   Regarding claim 8, Koseki further discloses the method of claim 1,

wherein the consumer is a client (Koseki, col.50, l.32-34).

10.   Regarding claim 9, Koseki further discloses the method of claim 1,

wherein the event is a task event, the method further comprising:

- Starting a log transaction, wherein starting a log transaction comprises a consumer sending a message that a sequence of related task log entries are to be sent. (Koseki, col. 11, l.26-28)

11.   Regarding claim 10, Koseki further discloses the method of claim 9, further comprising:

- Determining if the task event has ended, wherein the end of the task event comprises the completion of the task event or a failure to complete the task event (Koseki, col. 14, l.28-33); and

- If the task event has ended, terminating the log transaction, wherein terminating the log transaction indicates that a sequence of log entries associated with the task event has ended and that the log file may be rolled-over without interrupting logging of the task event.(Koseki, col. 18, l.65-67)

12.   Regarding claim 11, Koseki further discloses the method of claim 9, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)

13.   Regarding claims 12-16 have similar limitation as claims 1, 3, 5, 6, Therefore, claims 12-16 are rejected under Koseki for the same reason set forth in the rejection of claims 1, 3, 5, 6.

14.   Regarding claim 17, Koseki further discloses a computer system that

supports logging events independently and separately from other

processes in a computer system, comprising:

- A memory, that stores an application (Koseki, col. 50, l.36-

  37).

- A secondary storage device comprising a log file (Koseki,

  col. 51, l.64).

- A processor that runs the application, wherein the

  application comprises:

  - A consumer, wherein the consumer initiates an event

    that is a process executed by the processor, creates a

    log entry comprising information be written to the log

    file (Koseki, col. 39, l.46-49)

  - A multiple-threaded log manager, wherein the log

    manager, independently and separately from other

    processes, logs events, (Koseki, col.29, l.25-67) by:

  - Receiving the log entry from the consumer, thereby

    obtaining control of the log entry and pausing

    execution of the event (Koseki, col. 10, l. 36-58);

  - And releasing control of the log entry to the

    consumer, so that execution of the event can resume,

    prior to writing the log entry information to the log file

    (Koseki, col.6, l.19-20, col. 9, l.15-18, l.34-41, col. 10,

l. 27-58), wherein releasing control of the log entry to

the consumer comprises:

  ❑ The log manager cloning the log entry, wherein the

     log entry clone is a copy of the log entry that

     comprises the log entry information (Koseki, col.10,

     l.35-37, col. 28, l. 15-18).

15.   Regarding claim 19, Koseki further discloses the computer system of

Claim 17, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)

16.   Regarding claim 20, Koseki further discloses the computer system of

claim 17, wherein the log entry is an object that comprises attributes which

are populated with the log entry information (Koseki, col. 30, l. 9-11).

17.   Regarding claim 21, Koseki further discloses a method for logging events

independently and separately from other processes in a computer system, comprising:

  • Initiating an event, wherein the event is a process executed on a

     computer system (Koseki, col. 9, l.13-15, l. 36-38);

  • Creating a log entry, wherein the log entry comprises information

     that describes the event (Koseki, col.9, l. 16-17, col. 30, l.9-11);

  • Requesting that the log entry information be written to a log file,

     whereby a consumer surrenders control of the log entry, pausing

     execution of the event (Koseki, col.6, l.19-20, col.10, l.47-57) ;

  • Releasing control of the log entry to the consumer, so that

     execution of the event can resume, prior to writing the log entry

information to the log file, wherein releasing control of the log entry

to the consumer comprises (Koseki, col.6, l.19-20, col.10, l.27-28):

- Cloning the log entry, wherein the log entry clone is a copy of the

  an entire entry that comprises the log entry information (Koseki,

  col.10, l.35-37, col. 28, l.15-18); and

- Writing the log entry information to the log file using the log entry

  clone (col. 28, l.15-23, in which the bit map corresponds to the log

  entry).

18.   Regarding claim 22, Koseki further discloses the method of claim 21, wherein the

log entry information is written to the log file after releasing control of the log entry to the

consumer (Koseki, col.9, l.15-18).

19.   Regarding claim 23, Koseki further discloses the method of claim 21, wherein the

The log entry clone determines when the log entry is written (Koseki, col.10, l.8-23).

20.   Regarding claim 24, Koseki further discloses the method of claim 21, further

comprising:

- Queuing the log entry clone in a queue that determines when the

  log entry information is written to the log file (Koseki, col. 44, l.39).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first replay is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE MONTH shortened statutory period, then the

shortened statutory period will expire on the date advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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10/06/05
KYL

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER